

**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK**

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VARDA FRIEDMAN, on behalf of	:	
herself and all others similarly situated	:	
	:	
Plaintiffs,	:	
v.	:	Case No. 7:12-cv-03739-KMK
	:	
THE LAW OFFICE OF KEVIN Z. SHINE,	:	
PLLC, a New York Professional Limited	:	
Liability Company; KEVIN Z. SHINE,	:	
individually and in his official capacity;	:	
and JOHN and JANE DOES #1-25	:	
	:	
Defendants.	:	
	:	
-----X	:	

REQUEST FOR ADJOURNMENT

TO THE HONORABLE KENNETH M. KARAS,
 UNITED STATES DISTRICT JUDGE:

COME NOW, THE LAW OFFICE OF KEVIN Z. SHINE, PLLC and KEVIN Z. SHINE (collectively the “Shine Defendants”), two named Defendants herein, by and through their undersigned counsel, to file this Request for Adjournment and, in support thereof, would respectfully show the Court as follows:

1. On June 18, 2012, the Shine Defendants submitted a letter to the Court simply to arrange a pre-motion conference concerning an anticipated motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(1). On June 22, 2012, VARDA FRIEDMAN, the named Plaintiff, submitted a letter in opposition to the Shine Defendants’ request for a pre-motion conference questioning the

merits of the proposed motion. On June 28, 2012, the Court set a pre-motion conference on July 12, 2012.

2. Earlier this year, the undersigned counsel pre-paid the sum of \$2,200.00 for a condo rental on Cape Cod for a one-week period from Saturday, July 7, 2012 to Saturday, July 14, 2012. The pre-motion conference is currently set for Thursday, July 12, 2012, which falls within the undersigned counsel's summer vacation. For that reason, the undersigned counsel respectfully requests an adjournment of the pre-motion conference to a date after July 14, 2012. Alternatively, and without waiving the foregoing, the undersigned counsel requests that the Court allow him to make a telephonic appearance from Cape Cod. The Shine Defendants made a request for an extension of time to file their original answer—the Court granted that request— this is the first request for an adjournment. This request is not made for purposes of delay.

3. The undersigned counsel conferred with opposing counsel to determine if said counsel would consent to a telephonic pre-motion conference or, in the alternative, consent to an adjournment. Opposing counsel does not consent to the request for a telephonic conference; however, said counsel will not oppose the request. The Shine Defendants must make the Court aware that opposing counsel does not consent, but will not oppose if the Court is willing to grant a telephonic conference.

WHEREFORE, the Shine Defendants respectfully pray that the Court enter an order granting this Request for Adjournment and resetting the pre-motion conference for a date after July 14, 2012. Alternatively, the Shine Defendants request that the Court allow their undersigned counsel to make a telephonic appearance. The Shine Defendants also pray for such other and further relief as this Court deems necessary, just and proper.

DATE: June 28, 2012.

Respectfully submitted,

BARRON & NEWBURGER, P.C.

/s/ Kevin Evont Bowens

By: _____

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*Attorneys for Defendants, The Law Office of Kevin
Z. Shine, PLLC and Kevin Z. Shine*

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that a copy of foregoing was served on June 28, 2012, electronically by the Court's ECF system to all individuals registered to receive such service, as well as by e-mail to the following:

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